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Attorney Enoch Kirkwood

United States Bankruptcy Court
Northern District of Texas
Dallas Division

In Re:

SPORTS ONE SUPERSTORES CORP.,

Debtor.

Case No. 22-30085-sgj7

RESPONSE AND LIMITED OBJECTION TO
TRUSTEE’S NOTICE OF INTENT TO ABANDON PROPERTY

TO THE HONORABLE STACY G. JERNIGAN, UNITED STATES BANKRUPTCY JUDGE:

COMES NOW, Enoch Kirkwood (“Objector”) files this *Response to Trustee’s Notice of Intent to Abandon Property* in the above-captioned bankruptcy proceeding pursuant to 11 U.S.C. § 554 and Bankruptcy Rule 6007(a).

Summary

1. Objector filed this response and limited objection to the Trustee’s Notice of Intent to Abandon Property. Objector claims an equitable and beneficial interest in the property being abandoned and requests that any order entered abandoning the property also include an order that the abandoned property is no longer property of the estate.

Background

2. On January 20, 2022, Sports One Superstores Corp. (“Debtor”) filed a voluntary bankruptcy petition under Chapter 11 of Title 11 of the United States Bankruptcy Code. Enoch Kirkwood signed the petition as the authorized agent of the Debtor (Doc. 1).

3. Edward Dowd is the brother of Enoch Kirkwood.

4. At the time of filing, Edward Dowd was listed as 100% shareholder of the Debtor.

5. However, Enoch Kirkwood has an equitable interest and beneficial interest in the Debtor and the Debtor’s property.

6. Enoch Kirkwood is a party of interest in these proceedings.

7. Mr. Kirkwood does not claim an interest in the property that is being administered in this case. However, Mr. Kirkwood asserts that he is entitled to an equitable interest and beneficial interest in the property being abandoned by the Trustee in this case.

8. Therefore, Mr. Kirkwood asks this Court to enter an order that any abandoned property be declared no longer property of the estate, so that Mr. Kirkwood can pursue any claim or interest in such property in future state court proceedings.

9. For this reason, Mr. Kirkwood files this limited objection to the Trustee’s Notice of Intent to Abandon.

WHEREFORE, Objector asks the Court to enter an order confirming that any abandoned property is no longer property of the estate.

Objector asks for such other and further relief to which it is justly entitled.

Respectfully submitted:

By: /s/ Clayton L. Everett

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Certificate of Service

I hereby certify that on August 30, 2022, a true and correct copy of the above Limited Objection has been served via electronic means, if available, otherwise by the service indicated below, to:

Counsel for Chapter 7 Trustee:

Leah Duncan
Cavazos Hendricks Poirot, P.C.
Suite 570, Founders Square
900 Jackson Street
Dallas, TX 75202
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lbundage@chfirm.com

US Trustee:

US Trustee
1100 Commerce Street, Room 976
Dallas, TX 75242

To all those parties who have appeared and are receiving service by CM/ECF in this proceeding.

/s/ Clayton L. Everett